

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Joel Arthur Schluter,	)	No. CV 23-36-TUC-JAS (LCK)
Plaintiff,	)	<b>ORDER</b>
vs.	)	
Martin O. Malley,	)	
Defendant.	)	

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Kimmins. A review of the record reflects that the parties have not filed any objections to the Report and Recommendation and the time to file objections has expired. As such, the Court will not consider any objections or new evidence.

The Court has reviewed the record and concludes that Magistrate Judge Kimmins' recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:

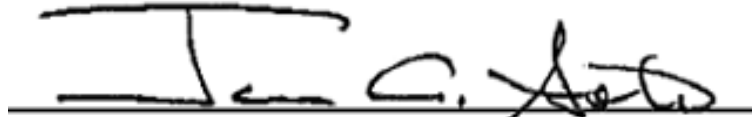
(1) Magistrate Judge Kimmins' Report and Recommendation (Doc. 25) is accepted and adopted.

(2) This case is remanded for an award of benefits.

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(3) The Clerk of the Court shall enter judgment and close the file in this case.

Dated this 13th day of March, 2024.

A handwritten signature in black ink, appearing to read "J. A. Soto", is written over a horizontal line.

Honorable James A. Soto  
United States District Judge